

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARLIN WILLIAMS, PAMELA
WILLIAMS CARTHENS, JEROME
THOMSON, PhD, BRENDA DEFORREST,
LEVEN WEISS, J.D., MICHAEL D.
BROWN, J.D., CORA WILLIAMS, and
ANTHONY HILL, on behalf of themselves
and all others similarly situation,

Plaintiffs,

v.

FCA US LLC,

Defendant.

Case No. 17-10097
Honorable Laurie J. Michelson

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT'S
MOTION TO DISMISS [51]**

Named Plaintiffs are current and former employees of Fiat Chrysler Automobiles (FCA). They allege that an employee-evaluation policy has a disparate impact on African-American employees. As a result of this policy, Plaintiffs, and others like them, allegedly received lower evaluation scores which resulted in missed career advancements, bonuses, placement on probation, and, in some cases, termination. Plaintiffs alternatively allege that FCA intentionally discriminates against African-American employees.

FCA now moves to dismiss Plaintiffs' third amended complaint. (ECF No. 51.) The motion is fully briefed (ECF Nos. 51, 60, 64) and the Court heard argument on June 7, 2019 and July 19, 2019.

IT IS HEREBY ORDERED, for the reasons set forth more fully on the record in the Court's oral ruling, that Defendant's motion to dismiss (ECF No. 51) is GRANTED IN PART AND

DENIED IN PART. Plaintiffs' pattern-or-practice disparate treatment claims (Counts II, III, and V) are hereby dismissed.

IT IS FURTHERED ORDERED that the Court will hold a telephonic status conference on August 12, 2019 at 1:00 PM.

IT IS SO ORDERED.

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE

Date: July 22, 2019

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was served on the attorneys and/or parties of record by electronic means or U.S. Mail on July 22, 2019.

s/William Barkholz
Case Manager to
Honorable Laurie J. Michelson